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AUG 16 2004

PATENT & TRADEMARK OFFICE
U.S. DEPARTMENT OF COMMERCE

**U.S. DEPARTMENT OF COMMERCE
PATENT AND TRADEMARK OFFICE**

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1743

NOTICE OF APPEAL

Docket Number:
10191/1925

Confirmation No.:
7242

Application Number
09/887,180

Filing Date
June 22, 2001

Examiner
Jeffrey R. SHAY

Art Unit
1743

Invention Title

**OPTICAL SENSOR HAVING A SENSITIVE LAYER
CONTAINING PARTICLES**

Inventor(s)
Thomas BRINZ et al.

Commissioner for Patents
P. O. Box 1450
Alexandria, VA 22313-1450

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P. O. Box 1450, Alexandria, VA 22313-1450 on

Date: August 12, 2004

Signature:

Jong H. Lee
Reg. No. 36,197

Applicants hereby appeal to the Board of Patent Appeals and Interferences from the decision of the Examiner made in the Final Office Action dated February 13, 2004 finally rejecting claims 1-14. Since a three-month request for extension of time was filed on July 26, 2004, no fee is believed to be required.

The Commissioner is hereby authorized to charge payment of the 37 C.F.R. § 1.191 Notice of Appeal fee of \$330.00 to deposit account number 11-0600.

The Commissioner is hereby authorized to charge payment of the following fees associated with this communication or credit any overpayment to number 11-0600.

- A. Any additional filing fees required under 37 C.F.R. § 1.16;
- B. Any additional patent application processing fees under 37 C.F.R. § 1.17;
- C. Any additional patent issue fees under 37 C.F.R. § 1.18;
- D. Any additional document supply fees under 37 C.F.R. § 1.19;
- E. Any additional post-patent processing fees under 37 C.F.R. § 1.20; or
- F. Any additional miscellaneous fees under 37 C.F.R. § 1.21.

A duplicate copy of this letter is enclosed.

Respectfully submitted,

Dated: August 12, 2004

By: Richard L. Mayer (by
Richard L. Mayer
Reg. No. 22,490

KENYON & KENYON

R. NO.
36,197)

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